

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. ) Case No. 06-452M  
HUMBERTO ARCENEO NICOLAS-CRUZ, ) DETENTION ORDER  
Defendant. )

**Offense charged:**

Illegal Reentry After Deportation in violation of 8 U.S.C. § 1326(a).

Date of Detention Hearing: August 31, 2006.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is a native and citizen of Mexico. There is no information available regarding any family ties to this community or to the Western District of Washington.

(2) A detainer has been placed on defendant by Immigration and Customs Enforcement.

(3) Defendant has stipulated to detention, due to the immigration detainer lodged against him, but reserves the right to contest his continued detention if there is a change in circumstances.

01           (4) There appear to be no conditions or combination of conditions other than  
02 detention that will reasonably assure the defendant's appearance at future Court hearings.

03           IT IS THEREFORE ORDERED:

- 04           (1) Defendant shall be detained pending trial and committed to the custody of the  
05           Attorney General for confinement in a correction facility separate, to the extent  
06           practicable, from persons awaiting or serving sentences or being held in custody  
07           pending appeal;
- 08           (2) Defendant shall be afforded reasonable opportunity for private consultation with  
09           counsel;
- 10           (3) On order of a court of the United States or on request of an attorney for the  
11           government, the person in charge of the corrections facility in which defendant  
12           is confined shall deliver the defendant to a United States Marshal for the purpose  
13           of an appearance in connection with a court proceeding; and
- 14           (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
15           counsel for the defendant, to the United States Marshal, and to the United States  
16           Pretrial Services Officer.

17           DATED this 31st day of August, 2006.

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19           \_\_\_\_\_  
20           JAMES P. DONOHUE  
21           United States Magistrate Judge